UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Court File No. 10-CV-4175 MJD/JJG

Plaintiff,

VS.

ORDER OF DISMISSAL

Miscellaneous Drivers and Helpers Union Local #638 Health, Welfare, Eye and Dental Fund,

Defendant.

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and pursuant to the Stipulation of the parties, it is hereby ordered that this matter is dismissed with prejudice and without any award of costs or fees.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 7, 2012. s/ Michael J. Davis

Michael J. Davis Chief Judge

United States District Court